

BEFORE THE ARIZONA MEDICAL BOARD

In the Matter of

Case No. MD-07-1027A

DARRELL JAMES JESSOP, M.D.

**INTERIM CONSENT AGREEMENT
FOR PRACTICE RESTRICTION**

Holder of License No. 23441
For the Practice of Allopathic Medicine
In the State of Arizona.

INTERIM CONSENT AGREEMENT

By mutual agreement and understanding, between the Arizona Medical Board ("Board") and Darrell James Jessop, M.D., ("Respondent") the parties agree to the following disposition of this matter.

1. Respondent has read and understands this Interim Consent Agreement and the stipulated Findings of Fact, Conclusions of Law and Order ("Interim Consent Agreement"). Respondent acknowledges that he understands he may consult with legal counsel regarding this matter.

2. By entering into this Interim Consent Agreement, Respondent voluntarily relinquishes any rights to a hearing or judicial review in state or federal court on the matters alleged, or to challenge this Interim Consent Agreement in its entirety as issued by the Board, and waives any other cause of action related thereto or arising from said Interim Consent Agreement.

3. This Interim Consent Agreement will not become effective until signed by the Executive Director.

4. All admissions made by Respondent are solely for interim disposition of this matter and any subsequent related administrative proceedings or civil litigation involving the Board and Respondent. Therefore, said admissions by Respondent are not intended or made for any other use, such as in the context of another state or federal government regulatory agency

1 proceeding, civil or criminal court proceeding, in the State of Arizona or any other state or
2 federal court.

3 5. Respondent may not make any modifications to the document. Upon signing this
4 agreement, and returning this document (or a copy thereof) to the Executive Director,
5 Respondent may not revoke acceptance of the Interim Consent Agreement. Any modifications
6 to this Interim Consent Agreement are ineffective and void unless mutually approved by the
7 parties.

8 6. This Interim Consent Agreement, once approved and signed, is a public record that
9 will be publicly disseminated as a formal action of the Board and will be reported to the National
10 Practitioner Databank and on the Board's website.

11 7. If any part of the Interim Consent Agreement is later declared void or otherwise
12 unenforceable, the remainder of the Interim Consent Agreement in its entirety shall remain in
13 force and effect.

14 
15 _____
16 DARRELL JAMES VESSOP, M.D.

Dated: 6/16/08.

FINDINGS OF FACT

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2 1. The Board is the duly constituted authority for the regulation and control of the
3 practice of allopathic medicine in the State of Arizona.

4 2. Respondent is the holder of License No. 23441 for the practice of allopathic
5 medicine in the State of Arizona.

6 3. The Board initiated case number MD-07-1027A after receiving a complaint
7 regarding the care and treatment rendered to a patient alleging inappropriate prescribing
8 contributing to the patient's death.

9 4. The Board Initiated case number MD-07-0189A after receiving a complaint
10 regarding the care and treatment rendered to a patient alleging Respondent prescribed
11 excessive pain medications.

12 5. The Board Initiated case number MD-08-0841A after a chart review pursuant to a
13 probationary term in MD-06-0047A. The chart review raised concerns regarding Respondent's
14 prescriptions of NSAIDs and pain medications.

15 6. The Staff Investigational Review Committee ("SIRC") met on March 14 and May
16 28, 2008 and determined that Respondent should participate in a PACE evaluation to address
17 concerns regarding his fund of knowledge, particularly with regards to pain management and
18 prescribing. SIRC noted Respondent's prior disciplinary history, including another case (MD-06-
19 0047A) involving dosing and management of a patient involving an opiate overdose.

CONCLUSIONS OF LAW

20
21 1. The Board possesses jurisdiction over the subject matter hereof and over
22 Respondent.

23 2. The Executive Director may enter into a consent agreement with a physician if
24 there is evidence of danger to the public health and safety. A.R.S. § 32-1405(C)(25); A.A.C.
25 R4-16-404.

ORDER

IT IS HEREBY ORDERED THAT:

1. Respondent shall limit all patient care to an established Urgent Care facility. Respondent shall refer patients to another physician for ongoing, non-acute care. Respondent cannot provide pain management or family medicine services to any patient in an ongoing fashion.

2. Prescribing of controlled and non-controlled substances to Urgent Care patients as described in #1, must be in accordance with the following restrictions.

a. Controlled Substances:

- i. Respondent is restricted from prescribing any sustained-release opioids, including but not limited to sustained release Oxycodone products (e.g. Oxycontin), sustained release Morphine (e.g. MSContin, Kadian, etc), sustained release Oxymorphone (e.g. Opana ER), transdermal Fentanyl (e.g. Duragesic).
- ii. Respondent is restricted from prescribing Methadone.
- iii. Respondent is restricted from prescribing immediate release Fentanyl (e.g. Actiq, Fentora)
- iv. Respondent is restricted from prescribing amphetamine and non-amphetamine CNS stimulants, including but not limited to Dextroamphetamine (e.g. Dexedrine, Adderall, Adderall XR), Methylphenidate (e.g. Ritalin, Concerta, Concerta XR), Modafinil (e.g. Provigil), Phentermine.
- v. Respondent is restricted from prescribing gamma-hydroxybutyrate (GHB)
- vi. Respondent is restricted from prescribing Hydromorphone (e.g. Dilaudid)
- vii. Respondent is allowed to prescribe no more than Quantity #30, no refills of a single choice per patient of short-acting opioid, including but not limited to Oxycodone products (e.g. Percocet, Roxicet, OxyIR), Hydrocodone products (e.g. Vicodin, Norco, Lortab), Codeine containing products (e.g. Tylenol with Codeine).
- viii. Respondent is allowed to prescribe no more than Quantity #30, no refills of a single choice of benzodiazepine or sedative hypnotic per patient, including but not limited to Diazepam (Valium), Alprazolam (Xanax), Lorazepam (Ativan), Flurazepam (Dalmane), Clonazepam (Klonopin), Temazepam (Restoril), Zolpidem (Ambien), Zaleplon (Sonata), Eszopiclone (Lunesta).

b. Non-controlled Substances:

- i. Respondent is allowed to prescribe no more than Quantity #30, no refills of non-controlled substances containing Tramadol (e.g. Ultram, Ultracet) or Butalbital (e.g. Fioricet).
- ii. Respondent is allowed to prescribe no more than Quantity #30, no refills of a single choice per patient of non-controlled muscle relaxants (e.g. Soma, Baclofen, Flexeril, Skelaxin).
- iii. Respondent is allowed to prescribe no more than Quantity #30, no refills of a single choice per patient of NSAID.
- iv. Respondent must write all prescriptions in a manner which will not allow potentially hepatotoxic or nephrotoxic dosages.

3. Respondent shall, at Respondent's own expense, enroll, schedule, pay any fees, and submit his application to PACE with any required materials, within 30 days of this Order. Respondent shall complete the evaluation within 60 days of this Order. Respondent shall notify the Board immediately upon scheduling a date for the evaluation. The evaluation shall assess his fund of knowledge in family practice, pain management, urgent care and prescribing. Respondent shall abide by any recommendations made by the PACE evaluators. Board Staff shall provide Respondent with all necessary information to register for the evaluation. Any and all reports, assessments or other documents generated by PACE shall be forwarded by PACE to the Board for review.

4. This is an interim order and not a final decision by the Board regarding the pending Investigative file and as such is subject to further consideration by the Board.

5. Any violation of the Interim Order constitutes unprofessional conduct and may result in disciplinary action. A.R.S. § 32-1401(27)(r) and 32-1451.

NOTED AND EFFECTIVE this 16th day of JUNE, 2008.



ARIZONA MEDICAL BOARD

By [Signature]
LISA S. WYNN
Executive Director

ORIGINAL of the foregoing filed this
day of June, 2008 with:

The Arizona Medical Board
9545 East Doubletree Ranch Road
Scottsdale, AZ 85258

EXECUTED COPY of the foregoing mailed by
US Certified Mail this 16th day of June,
2008 to:

Darrell James Jessop, M.D.
(address of record)

[Signature]